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2 State Bar No. 5382
3 MENG ZHONG, ESQ.
4 State Bar No. 12145
5 LEWIS AND ROCA LLP
6 3993 Howard Hughes Pkwy., Ste. 600
7 Las Vegas, NV 89169
(702) 385-3373
(702) 949-8398/fax

6 *Attorneys for Defendants Countrywide Home Loans, Inc.,*
Mortgage Electronic Registration Systems, Inc.
7 *and ReconTrust Company, N.A.*

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 FIDEL H. PAJARILLO,

11 Plaintiff,

12 vs.

13 COUNTRYWIDE HOME LOANS;
14 RECONTRUST COMPANY; et al.,

15 Defendants.

Case: 2:09-cv-00078-LDG-GWF

16 **DEFENDANTS' SUPPLEMENTAL
17 REQUEST FOR JUDICIAL
18 NOTICE**

19 Defendants Countrywide Home Loans, Inc., Mortgage Electronic Registration Systems,
20 Inc. and ReconTrust Company, N.A., through their attorneys, Lewis and Roca LLP, request that
21 the Court take judicial notice of the following documents, copies of which are attached hereto as
22 Exhibits "A" through "D."

23

1. Clark County Recorders Office Property Records website search results for parcel
24 number 176-11-210-017, a true and correct copy of which is attached as Exhibit "A."
2. Assignment recorded with the Clark County Recorder's office, a true and correct copy
25 of which is attached as Exhibit "B."
3. Notice of Default recorded with the Clark County Recorder's Office, a true and correct
copy of which is attached as Exhibit "C."
4. Lis Pendens recorded in the Clark County Recorders Office, a true and correct copy of
which is attached as Exhibit "D."

26 Nevada law allows for a court to take judicial notice of a fact if it is "(a) Generally known
27 within the territorial jurisdiction of the trial court; or (b) Capable of accurate and ready
28 determination by resort to sources whose accuracy cannot reasonably be questioned, so that the

1 fact is not subject to reasonable dispute." NRS 47.130. A court may take judicial notice of matters
2 of public record. See, e.g. *Shaw v. Han*, 56 F.3d 1128, 1129 n.1 (9th Cir. 1995); *Mack v. South*
3 *Bay Beer Distrib., Inc.*, 798 F.2d 1279, 1282 (9th Cir. 1986).

4 All documents attached are public documents on file in the Clark County Recorder's
5 office. The documents are therefore generally known within the territorial jurisdiction of this
6 Court. Moreover, the above-listed documents are capable of accurate and ready determination by
7 resort to sources whose accuracy cannot reasonably be questioned—i.e., by resort to the Clark
8 County Recorder's Office. Accordingly, the existence and contents of the attached documents are
9 not subject to reasonable dispute. Defendants therefore request that the Court take judicial notice
10 of the attached documents pursuant to NRS 47.130.

11 DATED this 20th day of February, 2013.

12 LEWIS AND ROCA LLP

13 By _____

14 J. CHRISTOPHER JORGENSEN, ESQ.
15 MENG ZHONG, ESQ.
16 3993 Howard Hughes Pkwy., Ste. 600
17 Las Vegas, NV 89169
18 *Atorneys for Defendants*

19 **CERTIFICATE OF SERVICE**

20 Pursuant to Nev. R. Civ. P. 5(b), I hereby certify that service of **DEFENDANTS'**
21 **SUPPLEMENTAL REQUEST FOR JUDICIAL NOTICE** was made on the 20th day of
22 February, 2013, by depositing a copy for mailing, first class mail, postage prepaid, at Las Vegas,
23 Nevada, to the following:

24 Fidel H. Pajarillo
25 6706 Zephyr Wind Avenue
26 Las Vegas, NV 89139
27 Pro Se Plaintiff

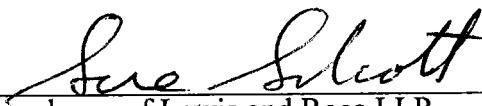
28 
an employee of Lewis and Roca LLP

EXHIBIT A

Search Results

You searched under: **Parcel Number**, for: **176-11-210-017**, with the document types of: **ALL DOCUMENTS**, between: **1/1/1900** and **1/28/2013**

Records found: 28

First Party Name	First Cross Party Name	Instrument #	Document Type	Modifier	Record Date	Parcel #	Remarks	Total Value
PINNACLE FOUR INC	PAJARILLO, FIDEL H	200512060004145	DEED		12/6/2005 2:48:07 PM	176-11-210-017		\$774,500.00
PAJARILLO, ROSALINDA	PAJARRILLO, FIDEL	200512060004146	DEED		12/6/2005 2:48:07 PM	176-11-210-017		
PAJARILLO, FIDEL H	COUNTRYWIDE HOME LOANS INC	200512060004147	DEED OF TRUST		12/6/2005 2:48:07 PM	176-11-210-017		
PARARILLO, FIDEL H	COUNTRYWIDE HOME LOANS INC	200512060004148	DEED OF TRUST		12/6/2005 2:48:07 PM	176-11-210-017		
PAJARILLO, FIDEL H	CORONADO RANCH STREET	200808120003162	LIEN		8/12/2008 11:12:18 AM	176-11-210-017		
PAJARILLO, FIDEL H	MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	200809100004625	DEFAULT		9/10/2008 3:40:36 PM	176-11-210-017		
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	RECONTRUST COMPANY	200809160001344	SUBSTITUTION	TRUSTEE	9/16/2008 9:40:25 AM	176-11-210-017		
PAJARILLO, FIDEL H	CORONADO RANCH STREET AND LMA	200810020002480	DEFAULT		10/2/2008 11:48:48 AM	176-11-210-017		
CORONADO RANCH STREET AND LMA	PAJARILLO, FIDEL H	200811100003244	LIEN	Release(RL)	11/10/2008 2:04:23 PM	176-11-210-017		
CORONADO RANCH STREET AND LMA	PAJARILLO, FIDEL H	200811100003245	NOTICE	RESCISSON	11/10/2008 2:04:23 PM	176-11-210-017		
COUNTRYWIDE HOME LOANS	PAJARILLO, FIDEL H	200812180003455	LIS PENDENS		12/18/2008 3:58:28 PM	176-11-210-017	NOTICE OF PENDENCY OF ACTION	
PAJARILLO, FIDEL H	CORONADO RANCH STREET AND LMA	200907290002442	LIEN		7/29/2009 11:21:30 AM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	CORONADO RANCH STREET AND LMA	200910050001925	DEFAULT		10/5/2009 12:17:07 PM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	CORONADO RANCH STREET AND LMA	200910150001536	LIEN		10/15/2009 12:00:30 PM	176-11-210-017		\$0.00
CORONADO RANCH STREET AND LMA	PAJARILLO, FIDEL H	200910150001537	LIEN	RELEASE	10/15/2009 12:00:30 PM	176-11-210-017		\$0.00
CORONADO RANCH STREET AND LMA	PAJARILLO, FIDEL H	200910150001538	NOTICE	RESCISSON	10/15/2009 12:00:30 PM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	CORONADO RANCH STREET AND	201001080001686	DEFAULT		1/8/2010 10:08:46 AM	176-11-210-017		\$0.00

First Party Name	First Cross Party Name	Instrument #	Document Type	Modifier	Record Date	Parcel #	Remarks	Total Value
LMA								
CORONADO RANCH STREET AND LMA	PAJARILLO, FIDEL H	201004280001573	LIEN	RELEASE	4/28/2010 9:33:20 AM	176-11-210-017		\$0.00
CORONADO RANCH STREET	PAJARILLO FIDEL H	201004280001574	NOTICE	RESCISSION	4/28/2010 9:33:20 AM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	RECONTRUST COMPANY	201101040006869	DEFAULT	RESCISSION	1/4/2011 3:40:30 PM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H		201106020001558	AFFIDAVIT		6/2/2011 11:34:21 AM	176-11-210-017		\$0.00
RODIS, SONIA	PAJARILLO, FIDEL H	201106270001978	RECONVEYANCE		6/27/2011 2:32:14 PM	176-11-210-017		\$0.00
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC	BANK OF AMERICA NA	201108020002460	ASSIGNMENT		8/2/2011 2:41:02 PM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	RECONTRUST COMPANY NA	201108020002461	DEFAULT & ELECTION TO SELL		8/2/2011 2:41:02 PM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	RECONTRUST	201111160002687	CERTIFICATE FORECLOSURE MEDINATION NEVADA		11/16/2011 2:41:56 PM	176-11-210-017		\$0.00
PAJARILLO, FIDEL H	RECONTRUST COMPANY NA	201111160002688	NOTICE OF TRUSTEE SALE		11/16/2011 2:41:56 PM	176-11-210-017		\$0.00
RECONTRUST COMPANY NA	PAJARILLO, FIDEL H	201111210002852	RECONVEYANCE	RESCISSION	11/21/2011 12:03:59 PM	176-11-210-017	TEXT IN TOP MARGIN-PG2	\$0.00
PAJARILLO, FIDEL H		201202060001170	HOMESTEAD		2/6/2012 11:14:04 AM	176-11-210-017		\$0.00

EXHIBIT B

RECORDING REQUESTED BY:
RECONTRUST COMPANY, N.A.
AND WHEN RECORDED MAIL DOCUMENT TO:
Bank of America, N.A.
400 National way SIMI VALLEY, CA 93065

Inst #: 201108020002460
Fees: \$14.00
N/C Fee: \$0.00
08/02/2011 02:41:02 PM
Receipt #: 866352
Requestor:
LSI TITLE AGENCY INC.
Recorded By: MSH Pgs: 1
DEBBIE CONWAY
CLARK COUNTY RECORDER

TS No. 08-0099113
TITLE ORDER#: G860728
176-11-210-017

CORPORATION ASSIGNMENT OF DEED OF TRUST NEVADA

FOR VALUE RECEIVED, THE UNDERSIGNED HEREBY GRANTS, ASSIGNS AND TRANSFER TO:
**BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING,
LP FKA COUNTRYWIDE HOME LOANS SERVICING, LP**

ALL BENEFICIAL INTEREST UNDER THAT CERTAIN DEED OF TRUST DATED 12/02/2005,
EXECUTED BY: FIDEL H PAJARILLO, A MARRIED MAN AS HIS SOLE & SEPARATE
PROPERTY, TRUSTOR: TO RECONTRUST COMPANY, N.A., TRUSTEE AND RECORDED AS
INSTRUMENT NO. 0004147 ON 12/06/2005, IN BOOK 20051206, OF OFFICIAL RECORDS IN THE
COUNTY RECORDER'S OFFICE OF CLARK COUNTY, IN THE STATE OF NEVADA.

DESCRIBING THE LAND THEREIN: AS MORE FULLY DESCRIBED IN SAID DEED OF TRUST.

TOGETHER WITH THE NOTE OR NOTES THEREIN DESCRIBED OR REFERRED TO, THE
MONEY DUE AND TO BECOME DUE THEREON WITH INTEREST, AND ALL RIGHTS
ACCRUED OR TO ACCRUE UNDER SAID DEED OF TRUST/MORTGAGE.

DATED: 08/01/2011

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,
INC.

State of: TEXAS
County of: TARRANT

)
BY: Laura Dalley 8/1/11

Laura Dalley, Assistant Secretary

AUG 01 2011

On _____ before me Elsie E. Kroussakis, personally appeared Laura Dalley
Asst. Sec., known to me (or proved to me on the oath of _____ or through
TD D) to be the person whose name is subscribed to the foregoing instrument and
acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.
Witness my hand and official seal.

Elie E. Kroussakis
Notary Public's Signature

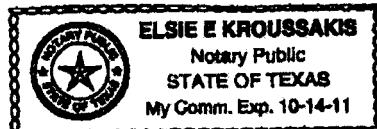


EXHIBIT C

Inst #: 201108020002461
Fees: \$215.00
N/C Fee: \$0.00
08/02/2011 02:41:02 PM
Receipt #: 866352
Requestor:
LSI TITLE AGENCY INC.
Recorded By: MSH Pgs: 2
DEBBIE CONWAY
CLARK COUNTY RECORDER

RECORDING REQUESTED BY:
WHEN RECORDED MAIL TO:
RECONTRUST COMPANY
2380 Performance Dr, RGV-D7-450
Richardson, TX 75082
NVNOD_2011.3.0.2_03/2011
TS No. 08-0099113
Title Order No. G860728
APN No. 176-11-210-017
Property Address:
6706 ZEPHYR WIND AVENUE
LAS VEGAS, NV 89139-5339

NEVADA IMPORTANT NOTICE

NOTICE OF DEFAULT/ELECTION TO SELL UNDER DEED OF TRUST

NOTICE IS HEREBY GIVEN THAT: RECONTRUST COMPANY, N.A., Trustee for the Beneficiary under a Deed of Trust dated 12/02/2005, executed by FIDEL H PAJARILLO, A MARRIED MAN AS HIS SOLE & SEPARATE PROPERTY as Trustor, to secure certain obligations in favor of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as beneficiary recorded 12/06/2005, as Instrument No. 0004147 (or Book 20051206, Page) of Official Records in the Office of the County Recorder of Clark County, Nevada. Said obligation including ONE NOTE FOR THE ORIGINAL sum of \$619,600.00. That a breach of, and default in, the obligations for which such Deed of Trust is security has occurred in that payment has not been made of : FAILURE TO PAY THE INSTALLMENT OF PRINCIPAL, INTEREST AND IMPOUNDS WHICH BECAME DUE ON 04/01/2008 AND ALL SUBSEQUENT INSTALLMENTS OF PRINCIPAL, INTEREST AND IMPOUNDS, TOGETHER WITH ALL LATE CHARGES, PLUS ADVANCES MADE AND COSTS INCURRED BY THE BENEFICIARY, INCLUDING FORECLOSURE FEES AND COSTS AND/OR ATTORNEYS' FEES. IN ADDITION, THE ENTIRE PRINCIPAL AMOUNT WILL BECOME DUE ON 01/01/2036 AS A RESULT OF THE MATURITY OF THE OBLIGATION ON THAT DATE.

That by reason thereof, the present beneficiary under such deed of trust has deposited with RECONTRUST COMPANY, N.A. such deed of trust and all documents evidencing obligations secured thereby, and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

NOTICE

You may have the right to cure the default hereon and reinstate the one obligation secured by such Deed Of Trust above described. Section NRS 107.080 permits certain defaults to be cured upon the payment of the amounts required by that statutory section without requiring payment of that portion of principal and interest which would not be due had no default occurred. Where reinstatement is possible, if the default is not cured within 35 days following recording and mailing of this Notice to Trustor or Trustor's successor in interest, the right of reinstatement will terminate and the property may thereafter be sold. The Trustor may have the right to bring court action to assert the non existence of a default or any other defense of Trustor to acceleration and sale.

To determine if reinstatement is possible and the amount, if any, to cure the default, contact: Bank of America, N.A., c/o RECONTRUST COMPANY, N.A. 2380 Performance Dr, TX2-984-0407, Richardson, TX 75082, PHONE: (800) 281-8219. Should you wish to discuss possible options for loan modification, you may contact the Home Retention Division at 1-800-669-6650. If you meet the requirements of Section NRS 107.085, you may request mediation in accordance with the enclosed Election/Waiver of Mediation Form and instructions. You may also contact the Nevada Fair Housing Center at 1-702-731-6095 or the Legal Aid Center at 1-702-386-1070 for assistance.

DATED: August 1, 2011

RECONTRUST COMPANY, N.A.

BY: Lashunda Scott-Kidd 8/1/2011

State of: TEXAS) Lashunda Scott-Kidd, Authorized Signer

County of: TARRANT)

On AUG 01 2011, before me Elsie E. Kroussakis, personally appeared Lashunda Scott-Kidd, Authorized Signer, known to me (or proved to me on the oath of _____ or through ID DL) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

WITNESS MY HAND AND OFFICIAL SEAL

Elsie E. Kroussakis

Notary Public's Signature

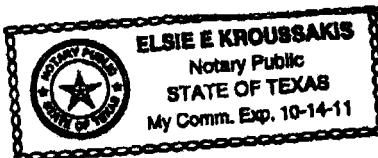


EXHIBIT D

1 RECORDING REQUESTED BY Plaintiff FIDEL H. PAJARILLO
2 AND WHEN RECORDED MAIL TO:

3 FIDEL H. PAJARILLO
4 6706 Zephyr Wind Avenue
5 Las Vegas, Nevada 89139
(702)276-4766

2008 DEC 18 P 3:36

Plaintiff *in Proper Person*

6
7
8 SPACE ABOVE THIS LINE FOR RECORDER'S USE
9

10 DISTRICT COURT

11 CLARK COUNTY NEVADA

13 FIDEL H. PAJARILLO

14 CASE NO. A 578172

15 Plaintiff,

16 DEPARTMENT: 14

17 vs.

18 NOTICE OF PENDENCY OF ACTION
19 COUNTRYWIDE HOME LOANS, RECONTRUST
20 COMPANY and Does 1 through 50 inclusive,
21
22 Defendant.

NRS 14.010 Et. Seq.

23 NOTICE OF PENDENCY OF ACTION

24 Notice is given that the above-entitled action was filed in the above-entitled court on
25 December 19 2008 by FIDEL H. PAJARILLO Plaintiff, COUNTRYWIDE HOME LOANS,
26 RECONTRUST COMPANY, and DOES I through X inclusive, Defendants. The Action affects
27
28

1 the title to a specific parcel of real property and the right to lawful possession of the same, the
2 property location is: 6706 Zephyr Wind Avenue, Las Vegas, Nevada 89139.

3 and whose Legal description is as follows:

4 APN # 176-11-210-017

5

6

7 Lot SEVENTEEN (17) in Block ONE (1) of PINNACLE PEAKS-TORREY PINES
8 NORTHWEST, as shown by Map thereof on file in Book 91 of Plats Page (28) in the
9 Office of the Clark County Recorder of Clark County Nevada

10 and which is identified in the complaint in this action. The property affected by the action is
11 located in the County of Clark, Nevada. The nature of the claims is (i) Fraud (ii) Civil Conspiracy
12 (iii) Slander of Title (v) Wrongful Foreclosure (iv) Defective Notices (vi) To Set Aside A
13 Foreclosure Sale (vii) Respa Violations, (viii) Breach of Fiduciary Duty

14

15 DATED: December 18, 2008.

16

17

for all

18

FIDEL H. PAJARILLO
19 6706 ZEPHYR WIND AVENUE
LAS VEGAS, NEVADA 89139
20 (702)276-4766
21 Plaintiff in Pro Se

22

ACKNOWLEDGMENT

23

Subscribed and sworn to before me this 18 day of December, 2008

24

Michelle Montano
25 Notary Public in and for the County of Clark,
State of Nevada

26

27

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